

Knowsley Council
Regeneration and Economic Development Directorate
Delegated Planning Report

APPLICATION NO: 25/00022/FUL

APPLICANT: The Hamlets Avenue Ltd

WARD AFFECTED: Prescott North

DEVELOPMENT:

CHANGE OF USE FROM 8NO. DWELLINGS (USE CLASS C3) TO CHILDREN'S CARE HOMES & ASSOCIATED FACILITIES (USE CLASS C2) FOR UPTO A MAXIMUM OF 12 CHILDREN, INCLUDING TEACHING/RECREATIONAL ROOMS ,OFFICES AND STAFF ROOMS IN PLOT 1, (USE CLASS SUI GENERIS) TOGETHER WITH INSTALLATION OF 2.4M HIGH ELECTRIC METAL GATES AT SITE ENTRANCE AND RETENTION OF 2.4M HIGH TIMBER FENCE ALONG WESTERN SITE BOUNDARY.

LOCATION OF SITE:

1-8 Woodcroft Way, Prescott, Knowsley.

DEVELOPMENT PLAN ALLOCATION:

Primarily Residential Area within Conservation Area.

REPRESENTATIONS:

13 representations have been received objecting to the proposal including a petition signed by 7 residents from Highfields, Prescott.

RECOMMENDATION:

That planning permission be refused.

CASE OFFICER:

Mark Quinn – 0151-443-2223

SUMMARY:

This application relates to a newly built small residential development of 8 dwellings. It is proposed to change the use of the dwellings from use class C3 to individual Children's

homes falling with use Class C2. The application also includes the erection of gates and the retentions of a timber fence.

The relevant key issues are :

- The principle of development.
- Suitability of the site.
- Impacts on residential amenity.
- Impacts on Prescott Town Centre conservation area.
- Highway Safety
- Impacts on anti- social behaviour in surrounding area.
- Safety and Security

1. SITE AND SURROUNDINGS

- 1.1 The application site comprises 0.45 hectares of land located off West Street, Prescott. The site comprises 7 newly built dwellings and an existing building Woodcroft (former offices) which has been converted into a dwelling. Woodcroft is a non-designated heritage asset.
- 1.2 The site is bounded by existing residential development to the west and east and a public footpath to the south of the site with a churchyard and cemetery beyond. To the north of site lies West Street with residential properties beyond. (Highfields sheltered accommodation)
- 1.3 The site is within Prescott Town Centre conservation area and within the setting of two listed buildings: the Parish Church of St Mary (Grade I) and Our Lady Immaculate Church (Grade II).

2. PROPOSAL

- 2.1 It is proposed to change the use of the 8 dwellings (the entire development) from Use Class C3 (dwellings) to use class C2 (residential institutions) children's care homes. There would be upto a maximum of 12 children on the site. (some homes would house 1 child and some would house 2 children). Woodcroft (plot 1) would provide classrooms, teaching rooms, staff room and recreational facilities.
- 2.2 The children's homes would all be run by the same company, Hamlets Avenues Ltd. The homes would accommodate 1 or 2 children/young adults at any one time. The 1 person homes would have 2 members of staff with an additional member of staff attending for a waking night shift. The 2 person homes would have 3 members of staff during the day with an additional staff member attending for a waking night shift.

- 2.3 The proposal also comprises the installation of 2.4m high steel bar pedestrian and vehicular access gates to the site entrance. The gates would be located adjacent to the existing brick pillars and revised plans submitted show that they would be sited 5m from highway boundary.
- 2.4 The applicant is seeking to retain a 2.4m high timber fence which has been erected along the entire length of the western site boundary. As part of the original planning permission (18/00785/FUL) a 1.8m high fence was approved to be installed along part of this boundary where it formed the boundary to plots 4 and 5.

3. RELEVANT SITE HISTORY

- 3.1 APP. NO: 18/00785/FUL

DEMOLITION OF 2 STOREY BUILDING, TIMBER CLAD BUILDING, RECEPTION BUILDING AND PRE-FABRICATED OFFICE BUILDING, CONVERSION OF VICTORIAN BUILDING TO FORM 1 NO. FIVE BED DWELLING AND ERECTION OF 7 NO. TWO STOREY DWELLINGS, TOGETHER WITH VEHICULAR/PEDESTRIAN ACCESSES, LANDSCAPING AND ASSOCIATED WORKS

GRANTED - JUNE 2020

- 3.2 APP. NO: 22/00556/FUL

APPLICATION TO VARY CONDITION NO. 4 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 18/00785/FUL TO ALLOW FOR REPLACEMENT WINDOWS IN WOODCROFT (PLOT 1) TO BE RETAINED (AS OPPOSED TO RETENTION OF THE ORIGINAL WINDOWS).

GRANTED - DECEMBER 2022

4. ARTICLE 35 STATEMENT

- 4.1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

5. EQUALITIES ACT 2010

- 5.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010.

- 5.2 Section 149 of the Act sets out a general duty that requires the council to have due regard to the need to:
- eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.3 In this case, the proposed development is not anticipated to have any potential impact from an equalities perspective.

6. REPRESENTATIONS

- 6.1 This application was publicised by way of letter sent to 44 neighbouring properties a site notice and a public notice in The Metro newspaper. As a result of the publicity 13 representations have been received (including a petition signed by 7 residents) all objecting to the application.
- 6.2 The objections raise the following matters (in summary)

Concerns about the applicant/company

- The applicant has a bad reputation. Concerns about the legitimacy of the company's owner. Suspicious about the motives and credentials of the applicant following an article in the Liverpool Echo. The suitability of The Hamlets Avenues Ltd to provide the stability for children they are promising is doubted. Between January 2024 and November 2024 the applicant started three companies for residential care and letting & operating of own or leased real estate. The applicant has a total of 14 private companies registered with companies house. The company has no past experience, competence reports or examples to review. The individuals do not have the experience of managing a multi dwelling complex care facility which would have different challenges to managing single homes or multiple homes separated geographically. We hope the Council have done due diligence with regard to the company's experience in this sector.
- The properties are still owned by Graeme Middleton (GK build) who has been unable to sell them. The whole venture appears untrustworthy and the interests of the children are not at the forefront.
- Concern about the ability of the company to manage and lead on this proposal, in safeguarding children and the community.
- Concern that the number of children could increase from 12.

- Reluctance of the company running the operation to be transparent and honest when challenged about the nature of the business.
- The submitted management plan is very brief and offers little openness, transparency and reassurance to residents. The residential manager will only be on site 9am -5pm Monday to Friday.

Child Safety

- Child Safety -Not right to keep disabled children locked behind a 7ft gate, these children need to be out and about. If for any reason any child decides to climb over the fence they may not realise there is a 20ft drop to the adjoining land at Wood Green. There are no escape windows on the upper floor of the properties. Any child staying in these homes will feel incarcerated. The site presents an appearance more like Colditz than a caring community, this not allowing the residents to fit in with the local community.
- No reference is made in the proposal to address issues raised in the Crime Impact statement e.g. gap in the wall , telegraph pole could act as climbing aid for vulnerable children to run away from the home.
- Knowsley Council's most recent inspection of children's services (November 2024) identified that "Strategic and operational oversight has not ensured appropriate standards of practice, or robustly recognised and managed risk for vulnerable children, leaving too many in unsafe situations. Residents fear is that approving such a significant proposal will further compound the challenges Knowsley Children's Services face and materially impact on Knowsley resident's, in a significant and negative way.
- Concern about the safeguarding of children. Lack of information regarding this and how complex needs will be addressed. Lack of space for children to descale or calm down peacefully without disturbing neighbouring occupiers.

Site Suitability

- The scale of the project and having 7 homes within a walled site does not represent normal family life or a normal street with little opportunity to integrate with local families and residents. This residential development was not designed to become a multi dwelling care facility. The houses are too close together to provide the quiet safe spaces these children need to express themselves and communicate in a way they are able. This

proposal is unprecedented in its design, there are no other examples in this or other neighbouring boroughs.

- Multi building children homes could lead to residential care becoming institutionalised leading children being passed from building to building. This configuration resembles a secure children's home which contradicts the notion of an inclusive residential setting, raising concerns about community cohesion and residential amenity.
- Are the houses actually safe to live in residents have seen a snagging list for one of the properties which had around 90 faults.
- The documentation submitted does not provide a strong enough case for sustainable development.

Anti Social behaviour

- Anti- Social behaviour. The children's homes may become an attraction for other youths in Prescot causing the elderly residents of Highfield distress and anguish.

Noise Impacts

- Noise – impacts of increased comings and goings of children, staff, other professionals, service vehicles, the constant use of security gates etc.

Traffic/Car parking

- Traffic Congestion - Traffic on West Street would be slowed down by the installation of the gates, by holding up traffic waiting for gates to open. If there is an overspill of parking onto West Street this would add to an already heavily congested parking problem. The site access is opposite the existing access for Highfields used regularly by carers and emergency services. This would pose a potential danger for residents.
- With over 20 staff indicated to be present on site over a 24 hour period (including shift changeovers) where exactly will all the staff park. It would not be safe for the site to become a car park and west street is residents car parking only.
- What if one of the children decided they wanted to jump over the fence to escape the home.

Residential Amenity

- Impact on privacy. Residents can see into 12 Wood Green from the rear bedroom window.
- The proposal for a walled and gated group of houses would have a material impact on existing residents as they will be living next to seven children's homes.
- The fence erected has created an eyesore and reduces natural light. No consideration has been given to the impact of the fence on the amenity of neighbouring residents, the site's location in the conservation area or the view from neighbouring properties. The fence would be impossible to maintain from Wood Green. The fence is unsympathetic to the historic stone wall which bounds the curtilage of the site.

Conflict of interest.

- Conflict of Interest – It is understood that the application site is owned by Knowsley Council so it would be a conflict of interest for the Council to make a decision about a change of use.

Crime

- Crime and Disorder – Knowsley Council recently closed down a children's care home at Brook Cottage due to problems associated with criminal and disorderly behaviour of its residents. How can they be expected to control a greater number of children on an estate of 8 houses?
- The high crime rate in the area could leave the vulnerable young people at risk of criminal and sexual exploitation as well as crimes associated with County Lines.

Impact on vulnerable local residents

- Location of care homes – The entrance/exit to these properties is directly opposite the entrance/exit to Highfields which houses 50 elderly residents. In an emergency there could be a need to evacuate these residents and the 12 vulnerable children all through the same point.
- The original application was for 8 family homes. The government stresses the need for more family homes. As the carers work on a rota they will not be resident and not living as a family.
- Proximity to vulnerable adults in Highfield.
- Welfare and safety of elderly residents who live immediately adjacent.

Ofsted Guidance

- It is unclear how this proposal meets with Ofsted's guidance on multi building children's home and the management of said homes. For multi building registrations to work Ofsted say they need to have exceptional skilled and experienced leadership teams. Residents are not convinced this is the case. Concern also raised that the proposal fails to meet the criteria of the Care Standards Act 2000.
- The statement of purpose and location assessment which would need to be submitted to OFSTED should have been included with the application.

Other Matters

- Would devalue surrounding property.
- The proposal would not be in compliance with paragraph's 96,109,135 in NPPF.

It should be noted that the application site is no longer owned by Knowsley Council. The current owners are The Hamlet's Road Ltd.

The devaluation of existing property and the capabilities of the applicant/ management team to successfully operate the children's homes are not material considerations to consider for the determination of the application.

7. CONSULTATIONS

Environmental Health (Knowsley Council) – No objections

Local Highway Authority (Knowsley Council) – No objections subject to a condition requiring the proposed gates to be set back from the nearside edge of the carriageway by a minimum of 5m.

Merseyside Police – Raise objections due to the risks that the children's home would be negatively impacted by current local issues. Children could be influenced by offenders and drawn into criminal activity. The proposal would be contrary to section 8 in NPPF, policies CS16, CS19 in the Knowsley Local Plan and Section 17 of the Crime & Disorder Act 1998.

Children's Services (Knowsley Council) – Raise objections due to the proposal feels like an old style institution which does not fit with expectations that providers enable cared for children to integrate effectively in their community. As the number of children increase

effective and safe matching becomes more of a challenge and can raise significant risk situations.

Community Safety (Knowsley Council) – Not convinced the approach of one business across multiple sites in one estate constitutes a better approach to providing care for vulnerable children given that is not true community integration.

Heritage (Knowsley Council) – The timber fence erected has not been justified and it has caused some low level harm to the character and appearance of the Conservation Area and the contribution made by the setting of the Non Designated Heritage Asset.

Cadent Gas – No objections

Prescot Town Council – Object on the grounds of Visual amenity and loss of light due to the fencing.

8. Policy Context

8.1 Paragraph 11 and 12 of the National Planning Policy Framework (NPPF 2024), an extract from which is set - out below, states that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local Planning Authorities may take

decisions that depart from an up-to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

- 8.2 In this regard, the Knowsley Local Plan: Core Strategy was adopted in January 2016, although certain saved policies of Knowsley Replacement Unitary Development Plan (UDP) remain operational as part of the Statutory Development Plan and are still given weight in reaching a decision. The Joint Merseyside and Halton Waste Local Plan was adopted in 2013 and is also part of the development plan.
- 8.3 The site is designated as primarily industrial area on the Local Plan Policies Map. The relevant adopted policies for the assessment of the application are listed below.

KNOWSLEY LOCAL PLAN: CORE STRATEGY (2016)

CS2 - Development Principles
CS7 - Transport Networks
CS19 - Design Quality and Accessibility in New Development
CS20 – Managing Heritage

KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (Saved Policies 2009)

H5 – Primarily residential areas
H7 – Provision of flats, nursing and residential homes, hostels and houses in multiple occupation (HMO's)
ENV2 – Noise and Vibration.

9. ISSUES AND ASSESSMENT

Principle of Development

- 9.1 Replacement UDP Saved Policy H5 (Development Within Primarily Residential Areas) states that: new development within the Primarily Residential Areas which is for uses appropriate to a residential area will be permitted provided that the development would not:
- Have an unacceptable impact on the amenity of neighbouring occupiers by reason of noise, disturbance, overlooking, visual intrusion smells, fumes, on-street parking or other causes; or
 - Adversely affect the character or street scene of the area.

- 9.2 Replacement UDP Saved Policy H7 (Provision of flats, nursing and residential homes, hostels and houses in multiple occupation (HMO's) states that proposals for residential homes, will be permitted provided that:
- “a) There would be no unacceptable increase in the level of noise or disturbance, or loss of privacy, for occupiers of neighbouring property;
b) Any necessary vehicle parking areas would be adequate to meet the needs of the development, safe and screened and/or landscaped so as to avoid causing loss of visual amenity in the area;
c) Bin stores, fire escapes and clothes drying areas would be adequately screened or designed so as to avoid causing loss of visual amenity;
d) In the case of proposals to convert existing property, the property would be suitable in terms of its size and character to accommodate the development proposed; and
e) In the case of proposals for nursing or residential homes, hostels or Houses in Multiple Occupation, the proposals would not result in:*
- An existing dwelling having a nursing home, residential home, hostel or HMO on both sides; or*
 - More than 2 adjoining properties being used as a nursing home, residential home, hostel or HMO”.*
- 9.3 Core Strategy Policy CS16 states that the Council will provide or support the provision of new specialist and supported residential accommodation,
- “which will be located in an appropriate environment, near to highways and public transport links and local amenities”*
- 9.4 The proposed use (Class C2) is classed as a “Residential Institution” therefore children’s homes can be acceptable in principle in this location subject to the use not having an unacceptable impact on the amenity of neighbours or the character of the area.

Site Suitability

- 9.5 Local Plan Policy CS2 states that new development in Knowsley will be expected to tackle the causes of deprivation and disadvantage by reducing inequalities between Knowsley and other parts of the UK and providing opportunities for positive lifestyle choices and health improvement for people of all ages.
- 9.6 Local Plan policy CS16 states that *“The Council will provide or support the provision of new specialist and supported residential accommodation, which will: a) Be located in an appropriate environment, near to highways and public transport links and local amenities;”*

9.7 Policy CS3 in the Core Strategy states that the tenure, type, size of new housing delivered in Knowsley will support the re-balancing of the housing market to better meet housing needs and demands arising in Knowsley.

9.8

6 Paragraph 8 of the NPPF states that the social objectives seek to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

9.7 Paragraph 61 of the NPPF states that the overall aim should be to meet an area's identified housing need including an appropriate mix of housing types for the local community. When establishing need the size, type and tenure of housing needed for different groups in the community should be assessed. Groups should include looked after children, and evidence of this need can be found in the local authority's sufficiency strategy.

9.8 Paragraph 96 in NPPF states that "*Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;"

9.9 Paragraph 135 in NPPF states "*Planning policies and decisions should ensure that developments:*

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

9.10 This is a proposal for 7 small children's homes to be located within a gated development and departs significantly from the current ethos for children's homes (single residential dwellings sited in residential areas and well integrated into the community). A grouping of individual homes does not appear to be a precedent which has been approved elsewhere in Knowsley or within the Liverpool city region.

9.11 Children's Services have advised that on the occasions when children have to become cared for by the local authority the preferred option is for children to be cared for within foster placements. Children are best placed in family environments either within their own or alternative 'family settings'. The development of residential children's homes have moved away from the previous model of large provisions for a number of children. Good residential providers develop small residential provision which mirrors as closely as possible that of a 'family' set up. Whilst the applicant is proposing each house will only have a small number of children placed in them the establishment of a relatively small cul-de-sac of properties which will be gated to secure the development raises concerns regarding the total number of children in such close proximity. This would feel more like an old style children's institution.

9.12 Knowsley would only place children in residential provision which does not draw attention to the child as being 'different' to their peers. Good residential provision are 'family' based homes in the heart of the community to allow children to interact with their peers as every other child would do. In time the set up of the application site will soon be seen as the 'close' in Prescott where all the children in care live – this does not fit with Knowsley's expectations that providers enable cared for children to integrate effectively in their community.

9.13 Given the number of placements in close proximity in the one cul-de-sac raises concerns about the effective 'matching' of children who are able to live together. As you increase the numbers of children effective and safe matching becomes more of a challenge and can raise significant risk situations.

- 9.14 The staffing demands on such large establishment would have enhanced risks of instability for the children and also variable skills/levels of expertise in the staff group – this is a common challenge in the childcare sector and would be exacerbated by such a large provision.
- 9.15 In conclusion the proposed site is considered to be inappropriate for the number of children's homes proposed due to the total number of cared for children living in close proximity which would give the feel of an old style children's institution. The site does not fit the expectations of Knowsley Council that providers enable cared for children to integrate effectively into the community and effective and safe matching of children becomes more of a challenge as numbers increase and can raise significant risk situations. The proposed development would not meet any local need for children's care home provision in Knowsley.
- 9.16 A Crime Impact Statement has been submitted in support of the planning application. This concludes that the design and security arrangements for the site are sufficient for the proposed use and it will not directly attract additional crime. Indeed full occupation and management will likely reduce the crime it currently attracts. It also concludes the impact/disruption that the children residing on the site would have on the neighbouring houses and community is not deemed to be any more excessive than if the eight large houses were occupied by individual families. However, there is the potential that the residents could be exploited by criminal gangs and other disruptive youths in the area. A robust management, selection process and community engagement plan has been developed to address these issues by the applicant.
- 9.17 Merseyside Police have advised that no consultation has been made with the designing out crime unit. The documents referenced as part of the application do not provide a full and frank picture of the local crime issues faced by the community and officers within Prescott. Furthermore, the standards referenced within the Crime Impact Statement are outdated and would not be recommended for the purposes of Crime Prevention by Merseyside Police.
- 9.18 Merseyside Police have advised that the area is a frequent generator for anti-social behaviour and alcohol related crime which is reflected in the violence and public order figures. There is a concern that multiple children's homes at this location would be negatively impacted by current local issues. There is a risk that children housed at this location, could become influenced by offenders residing in immediate proximity and subsequently be drawn into a criminal activity. Based on the above risk, Merseyside Police would not be satisfied in allowing children to be housed in this manner at this location.

- 9.19 In summary the proposed development would fail to align with current health and social care service requirements, and specialist housing needs. Furthermore, the style and nature of the proposed care home would not enable cared for children to integrate effectively in their community and raises concerns in respect of the effective matching of children and young people leading to challenges and significant risk situations. The care home would be located in an area of anti-social behaviour and in close proximity to high speed transport links of the M57 motorway, nearby bus stops and is 0.8miles from a train station which exacerbates these risks. The proposal is therefore contrary to Policies CS16 and CS19 in the Core Strategy and the NPPF.

Residential Amenity

- 9.20 In order for the proposal to be acceptable, it is important that it does not have a detrimental impact on the amenities of existing residents. Core Strategy Policies CS2 and CS19 combine to ensure that new development does not significantly injure the amenities of nearby residential neighbours. Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured. Saved UDP policy H5 seeks to ensure development in primarily residential areas are appropriate and would not have an unacceptable effect on residential amenity or adversely affect the character or street scene.
- 9.21 The 2.4m high timber fence which has been erected spans the entire length of the western site boundary from the boundary with West Street to the north to the rear of Plot 5 to the south. The fence has been sited immediately adjacent to the existing sandstone wall (which is less than 1m high from application site side).
- 9.22 Along the majority of the western site boundary the levels drop significantly (by upto 3m) to the west of the site (i.e. properties in Wood Green & West Street). The timber fencing would project above the height of the sandstone wall by approximately 1.4m. The fence in combination with the existing sandstone wall would attain a maximum height of approximately 4.4m from the rear boundaries of the existing dwellings in Wood Green. The timber fence has a stark appearance as it has not been stained (although it is noted that this could have been secured by planning condition).
- 9.23 Whilst it is noted that a 2m high timber fence within the application site could be erected under permitted development a 2.4m high fence along this boundary has not been justified and it considered to be detrimental to

the amenities presently enjoyed by the occupants of Wood Green to the western boundary of the site.

- 9.24 In conclusion the retention of the existing 2.4m high timber fence would be contrary to Local plan policy CS19 and Saved UDP policy H5.

Highways

- 9.25 NPPF Paragraph 116 sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios
- 9.26 Core Strategy Policy CS7 (Transport Networks) states that new development will be required to be:
1. Located and designed to prioritise accessibility and sustainable modes of travel through a choice of walking, cycling, public transport, and incorporate access for private vehicles.
 - In compliance with adopted cycle, car, disabled and service vehicle parking standards for different types and scales of new development.
- 9.27 The planning application is accompanied by a Transport Statement. This concluded that the proposed development would not result in an unacceptable impact on highway safety or have a severe impact on the operation of the highway network in terms of safety and capacity. The impact is best described as negligible. The Local Highway Authority concur with these conclusions.
- 9.28 The site is located within a sustainable location with excellent bus links into St Helens and Liverpool from Derby Street, Prescott.
- 9.29 The vehicular and pedestrian access into the site from West Street would remain unchanged aside from the erection of the vehicular and pedestrian gate at the site entrance.
- 9.30 Each property would have three off street parking spaces (including one in a garage and two on driveways). This is considered to be sufficient for staff car parking. Each property would have either 2 of 3 members of staff on shift during the daytime (8am -8pm). During the evening shift there would be 1 member of staff per property for a waking night shift. Should additional parking spaces be required during the staff cross over period the vehicles could temporarily be accommodated within the carriageway in Woodcroft Way.

- 9.31 It should be noted that there is insufficient availability of on-street parking availability on West Street, which is regulated under a Traffic Regulation Order for a residents parking permit scheme. The current scheme does not have spare capacity to accommodate additional resident's permit parking demand from this development.
- 9.32 Highways have no concerns in regard to the installation of the proposed gates. Amended plans have been submitted confirming that the gates would be positioned at least 5m from the nearside edge of the highway boundary.
- 9.33 It is concluded that there would be no significant adverse impacts on highway safety and the proposal would be in compliance with Local Plan policy CS7 and paragraph 116 in NPPF.

Heritage Impacts

- 9.34 Listed buildings - Section 66(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 9.35 Conservation areas - Section 72(1) In undertaking its role as a planning authority the Council, in respect to any buildings or land in conservation areas, should pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 9.36 Paragraph 210 of the NPPF states in determining planning applications LPAs should take account of:
- a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. The desirability of new development making a positive contribution to local character and distinctiveness.
- 9.37 Paragraph 212 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any

harm is identified as being substantial, total loss or less than substantial harm to its significance.

- 9.38 Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 9.39 Paragraph 215 states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.40 Paragraph 216 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.41 The site consists of Woodcroft House, a 1860s detached villa constructed from red brick with a slate roof and bay windows to both ground and first floor level. Woodcroft House is noted as “Higherfield House” on the 1890 OS map. The dwelling was originally set back from the road within its own grounds. Woodcroft House positively contributes to the character and appearance of the conservation area.
- 9.42 The grounds of Woodcroft House now contain seven newly constructed detached four/five bedroom dwellings which form a cul-de-sac with Woodcroft sitting centrally.
- 9.43 The Grade II listed Church of Our Lady Immaculate sits to the east of the site. The Church was built 1856-7 and is constructed from rock-faced stone with ashlar dressings and a slate roof.
- 9.44 The key heritage issues to consider are:
 - 1. Whether the proposal preserves the special interest of the listed building through development in its setting.
 - 2. Whether the proposal preserves or enhances the character or appearance of the Prescott Town Centre Conservation Area.
 - 3. Whether the proposal impacts on the significance of the Non-Designated Heritage Asset. (NDHA)

- 9.45 It is noted in the Heritage Statement that the change of use of the site to that of a children's home would require no external alterations to Woodcroft or to the seven newly built houses on site. As there are to be no changes to the appearance of the dwellings, including Woodcroft House, the Council's heritage advisors have no concerns from a heritage perspective and therefore have no objections to this part of the scheme.
- 9.46 A 2.4 metre high close boarded fence has been erected along the western boundary of the site. It is not clear why this has been erected. The Council's heritage advisors consider the introduction of the fence has caused some visual harm to the character and appearance of the conservation area and to the immediate value of the setting of the adjacent non designated heritage asset. The plans under application no.18/00785/FUL state that the wall is to be retained in situ, the wall helps retain a visual element of the of the former grounds of Woodcroft House, historically having a walled garden, and it should not be enclosed behind the timber fencing. Further justification would need to be provided for the retention of the fencing.
- 9.47 A 1.8m fence was previously approved for a section of this boundary, to the boundary of Plot 4 (under 18/00785/DISCON), though it was not approved along the entirety of the boundary.
- 9.48 The application includes the introduction of an electrically operated gate and separate pedestrian access gate on the West Street entrance of the site. The vehicle and pedestrian access will be made up of simple gates constructed from black steel bars. The gates will utilise the existing red brown brick gateposts and are of a design similar to that which was previously in situ (evident on Google Street View 2019). Overall, the introduction of the gates will cause no harm to the character and appearance of the Prescott Town Centre Conservation Area.
- 9.49 In relation to setting, Historic England's advice is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets. This describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas, which have public access. Whilst setting is often expressed by reference to visual considerations, it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.
- 9.50 As noted above, the application site sits near to the Grade II listed Church of Our Lady Immaculate. There will be no impact caused by the change of use of the site on the Church, nor will the alterations to the boundary

cause any harm due to the intervening development and distance between the sites, which does not allow for any notable shared views.

- 9.51 In conclusion there are no concerns from a heritage perspective with regard to the Change of Use of the site or the introduction of the gate. However, the introduction of the timber fence has not been justified and has caused some low level harm to the character and appearance of the conservation area, and to the contribution made by setting to the NDHA.
- 9.52 In relation to the harm to the Conservation Area the proposal fails to meet the duty to preserve under the Act and would need to be considered by the LPA under paragraph 215 of the NPPF. Under the national policy the LPA would need to assess whether there are any public benefits that outweigh the visual harm.
- 9.53 Given the impacts of the fence on residential amenity (as set out above) and impacts of the principle of the change of use to children's homes (as set out under site suitability above) in this instance it is not considered that there any public benefits from the scheme to outweigh the visual harm that the fence has caused to the character and appearance of the conservation area. In this regard the 2.4m high fencing would be contrary to Chapter 16 of the NPPF and Local Plan policy CS20.

10. CONCLUSION

- 10.1 The scale of proposal is considered to be inappropriate for a small gated development and would not mirror a family set up but would be more akin to an old style children's institution. The proposal and its location also raises concerns in respect of the effective matching of children leading to significant risk situations.
- 10.2 The height, position and appearance of the 2.4m high timber fencing would be detrimental to the amenities previously enjoyed by the occupiers of existing dwellings in Wood Green. The fencing would also cause visual harm to the character and appearance of Prescott Town Centre Conservation area and to the immediate setting of Woodcroft, the non designated heritage asset.
- 10.3 In conclusion, the proposed development would be contrary with policies H5, CS2, CS3, CS19 , CS16 and CS20 included within the Local Plan Core Strategy (2016) & Knowsley Replacement Unitary Development Plan (saved policies 2009) and contrary to guidance in National Planning Policy Framework (December 2024).

11. RECOMMENDATION:

11.1 It is recommended that planning permission be refused for the following reasons :-

1. The proposed development would fail to align with current health and social care service requirements, and specialist housing needs. Furthermore, the style and nature of the proposed care home would not enable cared for children to integrate effectively in their community and raises concerns in respect of the effective matching of children and young people leading to challenges and significant risk situations. The care home would be located in an area of anti-social behaviour and in close proximity to high speed transport links of the M57 motorway, nearby bus stops and is 0.8miles from a train station which exacerbates these risks. The proposal is therefore contrary to Policies CS2, CS3, CS16 and CS19 in the Core Strategy and the NPPF.
2. The overall height, appearance and massing of the 2.4m high timber fencing would have a significant adverse impact on the amenity of the existing residents in Wood Green (to the western site boundary). As such the retention of the 2.4m high timber fence would fail to comply with Policy H5 in the Replacement Unitary Development Plan and Policies CS2 and CS19 in the Knowsley Local Plan, Core Strategy.
3. The introduction of the 2.4m high fence in front of the existing sandstone boundary wall has caused some visual harm to the character and appearance of Prescott Town Centre conservation area and to the immediate value of the setting of the adjacent non designated heritage asset. In this instance there are no public benefits from the proposal to outweigh the visual harm. As such the proposal would be contrary to Local Plan Policy CS20 and paragraphs 212, 213, 215 and 216 of the NPPF (December 2024)

Signed Case Officer¹:

Mark Quinn

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

25 June 2025

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

